



Attorney Docket No.: 47793/58503

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Takayuki Sato

GROUP ART UNIT: 2863

SERIAL NO. 09/681,690

EXAMINER: Xiuqin Sun

FILED: May 22, 2001

FOR: NETWORK MONITORING APPARATUS, A NETWORK MONITORING PROGRAM,  
A NETWORK MONITORING METHOD AND A COMPUTER NETWORK SYSTEM

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**CERTIFICATE OF EXPRESS MAILING (Label No.: EV 342613965 US)**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on May 27, 2003 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 27, 2003.

By:

  
Nicole M. McKinnon

\*\*\*\*\*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is  
☐ a small entity. A statement:  
☐ is attached.  
☐ was already filed.  
☒ other than a small entity.

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**EXTENSION OF TERM**

**NOTE:** *"Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.*

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

**NOTE:** See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply. (complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$ 1,440.00	\$ 720.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.  
(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility

that applicant has inadvertently overlooked the need for a petition for extension of time.

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col. 1)	(Col. 2)	SMALL ENTITY				OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	O R	Rate	Addit. Fee
26	25	1	\$9.00	\$		\$18.00	\$18.00
Independent Claims Remaining After Amendment 8	Independent Claims Remaining After Amendment 8	0	\$42.00	\$		\$84.00	\$0.00
First Presentation of Multiple Dependent Claim+			\$140.00	\$		\$280.00	\$
						Total Addit. Fee	\$18.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).  
(complete (c) or (d), as applicable)*

(c) ☐ No additional fee for claims is required.

OR

(d) ☒ Total additional fee for claims required \$ 18.00.

#### **FEE PAYMENT**

5. ☒ Attached is a check in the sum of \$ 18.00.  
☐ Charge Account No. 04-1105 the sum of \$ \$\_\_\_\_\_.

A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

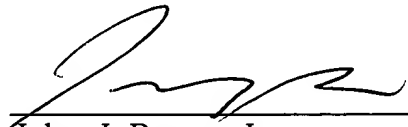
*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

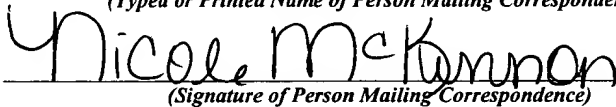
AND/OR

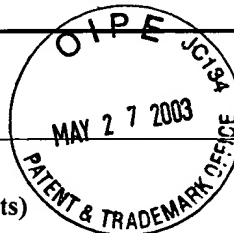
- ☒ If any additional fee for claims is required, charge Account No. 04-1105.

Date: May 23, 2003

  
\_\_\_\_\_  
John J. Penny, Jr.  
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Boston, Massachusetts 02209

Customer No. 21874

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No.
Applicant(s): Takayuki Sato			47793/58503
Serial No. 09/681,690	Filing Date May 22, 2001	Examiner Xiuqin Sun	Group Art Unit 2863
Invention: <b>NETWORK MONITORING APPARATUS, A NETWORK MONITORING PROGRAM, A NETWORK MONITORING METHOD AND A COMPUTER NETWORK SYSTEM</b>			
I hereby certify that the following correspondence: <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"><b>Amendment Under 37 C.F.R. Section 1.115 (and related documents)</b> <i>(Identify type of correspondence)</i></div> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on <u>May 27, 2003</u> <i>(Date)</i></p> <div style="text-align: center; margin-top: 20px;"><u>Nicole M. McKinnon</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> <u>EV 342613965 US</u> <i>("Express Mail" Mailing Label Number)</i></div>			
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By Nicole McKinnon  
Nicole M. McKinnon

\*\*\*\*\*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER 37 C.F.R. § 1.115

In response to the Office Action dated February 26, 2003, please enter the following amendments. A version of the amendments with markings to indicate additions and deletions to the amended subject matter is also included below.

IN THE CLAIMS:

1. (Amended) A network monitoring apparatus for displaying a state of a network having an interconnecting unit and monitoring said network, comprising:  
a setting unit operable to set a display condition that defines information to be displayed;

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